

CSD 2065 [04/04/05]

Court Telephone: (619) 557-5620

Court Hours: 9:00am-4:00pm, Monday-Friday

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NANCY L. WOLF, TRUSTEE
P. O. Box 420448
San Diego, CA 92143
Telephone: (619) 239-9653

UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA
325 West F Street, San Diego, California 92101-6991

In Re

DOROTHY A. GIACALONE

Debtor.

BANKRUPTCY NO. 07-06558-JH7

TRUSTEE'S NOTICE OF PROPOSED ABANDONMENT OF PROPERTY

TO THE DEBTOR, ALL CREDITORS, AND OTHER PARTIES IN INTEREST:

Pursuant to 11 U.S.C. § 554 and Federal Rule of Bankruptcy Procedure 6007(a), notice is hereby given that the undersigned Trustee for the estate of the above-named debtor intends to abandon the following property:

PROPERTY TO BE ABANDONED:

Single Family Residence 9055 Three Seasons Road San Diego, CA 92126	Value: \$545,000.00	Lien: \$513,200.00 Lien: \$ 65,411.00 Lien: \$ 65,000.00	Lienholder: Countrywide Bank Lienholder: Countrywide Bank Lienholder: Filipo & Rosalie Battaglia
2005 Infinity G35	Value: \$ 18,020.00	Lien: \$ 20,100.00	Lienholder: Infinity Financial Services
2003 Ford F-150	Value: \$ 13,575.00	Lien: \$ 14,000.00	Lienholder: Miramar Credit FCU
2002 Chevrolet Impala	Value: \$ 7,310.00	Lien: \$ 8,400.00	Lienholder: Wachovia Dealer Services

ESTIMATED VALUE OF THE PROPERTY: As Stated Above

LIENS AGAINST THE PROPERTY: As Stated Above

The property is to be abandoned because:

- ☒ There is little or no equity in the property for the estate.
- ☒ Costs of collection or litigation will probably exceed any recovery.
- ☒ Preservation of the asset is burdensome to the bankruptcy estate.

☒ Other: The debtor has filed a statement of intention to "Retain" (sic) surrender the real property to the lienholders; and to reaffirm the debts secured by the vehicles pursuant to 11 U.S.C. § 524(c). Pursuant to Bankruptcy Local Rule 1007-5, the trustee shall not be responsible for enforcement of the debtor's statement of intention under 11 U.S.C. Section 521(2)(B).

By abandoning the property, the Trustee is returning the property to the debtor because it cannot, for the reasons stated above, be liquidated for the benefit of creditors. Requests for additional information about the proposed abandonment should be directed to the Trustee named below.

IF YOU OBJECT TO THE PROPOSED ABANDONMENT:

1. **YOU ARE REQUIRED** to obtain a hearing date and time from the appropriate Courtroom Deputy for the judge assigned to this bankruptcy case. Determine which deputy to call by looking at the Bankruptcy Case No. in the caption on Page 1 of this notice. If the case number is followed by the letter:

-	M	-	call (619) 557-6019	-	DEPARTMENT ONE (Room 218)
-	A	-	call (619) 557-6594	-	DEPARTMENT TWO (Room 118)
-	H	-	call (619) 557-6018	-	DEPARTMENT THREE (Room 129)
-	B	-	call (619) 557-5157	-	DEPARTMENT FOUR (Room 328)
2. **WITHIN TWENTY-EIGHT (28)¹ DAYS FROM THE DATE OF THIS NOTICE**, you are further required to serve a copy of your DECLARATION IN OPPOSITION TO THE ABANDONMENT and separate REQUEST AND NOTICE OF HEARING [Local Form CSD 1184²] upon the undersigned trustee, together with any opposing papers. A copy of these documents must also be served upon the United States Trustee at 402 W. Broadway, Suite 600, San Diego, CA 92101. The opposing declaration shall be signed and verified in the manner prescribed by Federal Rule of Bankruptcy Procedure 9011, and the declaration shall:
 - a. identify the interest of the opposing party; and
 - b. state, with particularity, the factual and legal grounds for the opposition.
3. **YOU MUST** file the original and one copy of the Declaration and Request and Notice of Hearing with proof of service with the Clerk of the U.S. Bankruptcy Court at 325 West "F" Street, San Diego, California 92101-6991, no later than the next business day following the date of service.

IF YOU FAIL TO SERVE YOUR "DECLARATION IN OPPOSITION TO THE ABANDONMENT" AND "REQUEST AND NOTICE OF HEARING" within the 28-day¹ period provided by this notice, NO HEARING SHALL TAKE PLACE, you shall lose your opportunity for hearing, and the moving party may proceed to take the intended action.

Date: November 19, 2007

/s/ Nancy L. Wolf
Chapter 7 Trustee
Address: P.O. Box 420448
San Diego, CA 92142

Phone No.: (619) 239-9653
E-mail:

¹If you were served electronically or by mail, you have three (3) additional days to take the above-stated actions.

²You may obtain Local Form CSD 1184 from the office of the Clerk of the U.S. Bankruptcy Court.